



Docket No. 881987-17

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Swab et al.

Serial No.: 10/608,321

Filed: June 27, 2003

For: **EYEWEAR WITH EXCHANGEABLE TEMPLES HOUSING
BLUETOOTH ENABLED APPARATUS**

Examiner: Angela Y Ortiz

Date of Deposit: May 12, 2004

I hereby certify that this paper or fee and enumerated documents is being deposited with the United States Postal Service "First Class Mail service under 37 CFR 1.8 on the date indicated above and is addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Sarah Schlie

Group Art Unit: 2873

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

This is in response to the Office Action of February 13, 2004 on which the shortened statutory period for response expires on May 13, 2004. Accordingly, this Response is timely filed.

In response to the Office Action dated February 13, 2004, please amend the above-identified patent application as follows:

Amendments to Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.



[Handwritten signature]

Docket No. 881987-0017

CERTIFICATE OF MAILING

Date of Deposit: May 12, 2004

I hereby certify under 37 CFR 1.10 that this correspondence and enumerated documents is being deposited with the United States Postal Service as "First Class Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Non-Fee Amendment, PO Box 1450, Alexandria, VA 22313-1450.

Name: Sarah Schlie

Signature: *Sarah Schlie*
Schulte Roth & Zabel, LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Swab et al.

Group Art Unit: 2873

Serial No.: 10/608,321

Examiner: Angela Y Ortiz

Filed: June 27, 2003

For: EYEWEAR WITH EXCHANGEABLE TEMPLES HOUSING BLUETOOTH
ENABLED APPARATUS

AMENDMENT TRANSMITTAL

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for the above-identified application.

☒ No additional fee is required.

☐ The additional fee has been calculated as shown below:

CLAIMS AS AMENDED

	Claims Remaining After Amendment	Highest No. Covered by Previous Payments	Extra	Rate	Additional Fee
Total Claims*	-			\$18.00/ \$9.00	\$
Independent Claims	-			\$86.00/ \$42.00	\$
Multiple Dependent Claims	(If claims added by amendment include Multiple Dependent Claim(s) and there was no Multiple Dependent Claim(s) in application before amendment add \$280.00 to additional fee (\$140.00 for small entity).				\$
TOTAL					\$

*Includes all independent and single dependent claims and all claims referred to in multiple dependent claims. See 37 C.F.R. §1.75(c).

- ☐ Small entity status is or has been claimed.
Reduced Fees Under 37 C.F.R. §1.9(f) paid herewith \$_____
- ☐ _____ Pages Sequence Listing
- ☐ _____ Computer disk(s) containing substitute Sequence Listing
- ☐ Statement under 37 C.F.R. §1.825(b) that the computer and paper copies of the substitute Sequence Listing are the same.
- ☐ A check in the amount of \$_____ to cover the filing fee is attached.
- ☐ Charge fee to Deposit Account No. _____, Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this amendment, including all fees pursuant to 37 CFR §1.17 for its timely consideration, or credit any overpayment to Deposit Account No. 50-0675, Order No. 881987-0017. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
SCHULTE ROTH & ZABEL LLP

Dated: May 12, 2004

By: Anna Vishev
Anna Vishev
Registration No. 45,018

Correspondence Address:

SCHULTE ROTH & ZABEL LLP
919 Third Avenue
New York, NY 10022
(212) 756-2000 Telephone
(212) 593-5955 Facsimile